

General Instructions

The *Request for Order* (FL-300) form replaces the old *Notice of Motion* and *Order to Show Cause* forms. Use the *Request for Order* form to ask for court orders in your family law case.

1. You must complete the top portion of page 1, including your name and address, the court address, case name, and number.
2. Check all the boxes that apply to the orders you are requesting. Check the Modification box if you are requesting a change to an existing order. Check the Temporary Emergency Court Order box if you are requesting that the court issue emergency orders that will be effective before the hearing date.
3. List the name of the other person in your case in item 1.
4. Leave item 2 blank. The court clerk will fill in the date, time, and location of the hearing.
5. In item 3 list all of the forms that you have completed and filed with the court. These are the forms that you will have to provide to the other party.
6. Check the box in front of "Court Order" on page 1 only when you are:
 - Asking the court for temporary orders to go into effect before the hearing; or
 - Asking that the court order the other person in your case to come to court; or
 - Need an order that allows you to give notice of the hearing after the deadline for giving notice has passed.Leave items 5 – 9 blank. The court clerk will fill in the information.
7. Complete the sections on pages 2 and 3 that apply to the orders that you are asking the court to make.
8. Date and sign on pages 1 and 3 of the form.
9. Complete any additional forms that you will need to file with your *Request for Order*.
10. File your completed *Request for Order* and other forms with the court clerk. (You may have to pay a filing fee. If you can't afford to pay the filing fee, you can ask the court to waive the fee by completing and filing a *Request to Waive Court Fees* (form FW-001)).

For example:

- If you are asking the court to make child custody orders, check the box marked Child Custody in the box just above item 1 on the first page and complete item 1 on page 2.

- If you are asking the court to make custody orders that go into effect before the hearing date, check the box "To be ordered pending the hearing" in item 1 on page 2 and check the box marked Temporary Emergency Court Order in the box just above number 1 on page 1.
- Complete the *Temporary Emergency Court Orders* (form FL-305) and file it with the *Request for Order*.
- Ask the family law facilitator or the self-help center staff to explain the procedures for requesting temporary emergency court orders at your court and follow those procedures.

Other forms to file with this *Request for Order*:

- If you are asking the court to make temporary orders that which will go into effect before the hearing date: a completed *Temporary Emergency Court Orders* (form FL-305).
- If you are asking the court to order spousal support: a completed *Income and Expense Declaration* (form FL-150).
- If you are asking the court to order child support: A completed *Income and Expense Declaration* (form FL-150) or a completed *Financial Statement (Simplified)* (form FL-155).
- If you are asking the court for child custody orders: See item 1e on page 2 of the *Request for Order* (form FL-300) for the list of forms that you may have to complete.
- If you plan on having witnesses testify at your hearing: a completed *Witness List* (form FL-321).

Note: Do not use *Request for Order* (FL-300) if you are filing a motion or order to show cause:

- For a contempt action in a family law case (use *Order to Show Cause and Affidavit for Contempt* (see form FL-410))
- To set aside a child support order (see form FL-361 or FL-640) or a voluntary declaration of paternity (see form FL-280)
- For a domestic violence protective order under the Domestic Violence Protection Act (see form DV-100). Note: You can use the *Request for Order* (form FL-300) in a domestic violence protective order case, but only if you have child custody, visitation, or support orders that you need modified.
- Other types of cases for which there are other Judicial Council forms just for those cases.

If you have a question about whether this is the right form for your situation or whether you need to complete additional forms, ask the family law facilitator, self-help center, or the clerk's office at the court.



Instructions for Giving the Other Party Notice (Service)

Service by Personal Delivery

- After you file the *Request for Order* and other forms with the court clerk, you will get them back with a court date and time stamped on the first page of the *Request for Order*. You must make sure that the other party receives a copy of the *Request for Order* and all the other forms so that he or she has notice of the date, time, and location of the hearing and of the orders that you are asking the court to make. This means that you must “serve” a copy of the *Request for Order* and all the other documents on the other party. If you completed and filed an *Income and Expense Declaration* (form FL-150) or a completed *Financial Statement (Simplified)* (form FL-155), you must include a blank copy of these forms for the other party to complete and file.
- In general, the other party must be served with the *Request for Order* and other forms at least 16 court days prior to the hearing. If service is by mail, you must add 5 days. The court may order that the time for service on the other party can be shorter (See item 9 on the *Request for Order* (form FL-300)).

Service by Personal Delivery

If you have asked the court for temporary emergency court orders or other orders that will go into effect before the hearing, or you have asked the court to order the other party to attend the hearing and the judicial officer has signed the “Court Order” portion of the *Request for Hearing* form:

- Have someone else (who is at least 18) personally give a copy the *Request for Order* with the other forms and blank responsive forms to the other party.
- After the person gives the forms to the other party, he or she should complete a *Proof of Personal Service* (form FL-330). *Information Sheet for Proof of Personal Service* (form FL-330-INFO) has instructions to help the person complete the form.
- You then file the *Proof of Personal Service* with the clerk of the court 5 court days before the hearing date.

Service by Mail

If you have not asked the court for orders that will go into effect before the hearing, or you have not asked the court to order the other party to attend the hearing and the “Court Order” portion on page 1 of the *Request for Order* has not been completed or signed by the judicial officer:

- You can ask another person (who is at least 18) to mail the *Request for Order* with the appropriate attachments and blank responsive forms to the other party.
- If you filed the *Request for Order* asking for orders after the judgment was entered in your case or after permanent orders were made in your case, you will need to verify the address of the person who is being served and file proof of the verification with the court.
- After the person mails the forms, he or she should complete a *Proof of Service by Mail* (form FL-335). *Information Sheet for Proof of Service by Mail* (form FL-335-INFO) has instructions to help the person complete the form.
- You then file the completed *Proof of Service by Mail* (form FL-335) with the clerk of the court 5 court days before the hearing date.

For more information about giving notice, see *Information Sheet for Proof of Personal Service* (FL-330-INFO) or *Information Sheet for Proof of Service by Mail* (FL-335-INFO).

If you have questions about service or need additional assistance, contact the family law facilitator or self-help center in your county.